



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,021	06/20/2003	Jordi Alborno	ROC920030230US1	8486

46797 7590 08/29/2006

IBM CORPORATION, INTELLECTUAL PROPERTY LAW
DEPT 917, BLDG. 006-1
3605 HIGHWAY 52 NORTH
ROCHESTER, MN 55901-7829

EXAMINER

EBIRIM, EMEKA

ART UNIT PAPER NUMBER

2166

DATE MAILED: 08/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/600,021	Applicant(s) ALBORNOZ ET AL.	
	Examiner Emeka Ebirim	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Status

1. This communication is responsive to the Amendments filed on April 28, 2006. The application has been fully examined and claims 1-37 are rejected and are pending in this Office Action.

Response to Arguments

Specification

2. Applicant's amendments with respect to the specification of the present application have been fully considered and it overcomes the objections as applied to the specification. As such the examiner has withdrawn the objection.

Claim Rejections - 35 USC § 101

3. Applicant's amendments with respect to the 101 rejection of the present application have been fully considered and it overcomes the rejection as applied to the claims. As such the examiner has withdrawn the rejection.

Claim Rejections - 35 USC § 102

4. Applicant's arguments with respect to claims 1-4,6,8-26,30-37 of the present application have been fully considered but are not persuasive. The examiner respectfully traverses applicant's arguments.

The Applicants argue that "Nowhere in Gupta is 'a set of annotation structures' described... rather Gupta only discloses a single annotation structure".

In response to applicant's arguments the Examiner respectfully submits that Gupta discloses the particular recitation as "For example, in one implementation annotations can belong to one or more different annotation sets. The user interface can be associated with selected ones of these different annotation sets, so that any newly created annotations automatically belong to that set, or annotation queries automatically query that set, without requiring the user to specify the set" [Col 2 lines 40-47]. Gupta goes on to show an exemplary structure for these annotations in Fig 4 [Col 2 lines 66-67, Col 7 lines 28-39]. Gupta further discloses these sets of annotation structures as including annotation entry 180 each corresponding to a different custom ordering, or a different annotation set [Col 10 lines 4-6].

And as such rejections as applied to the last Office action are hereby sustained.

Claim Rejections - 35 USC § 103

5. Applicant's arguments with respect to claims 5,7,27,28 and 29 of the present application have been fully considered but are not persuasive. The examiner respectfully traverses applicant's arguments.

With respect to the applicants arguments "that there is not a suggestion or motivation to combine the references"

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the

Art Unit: 2166

references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, It would have been obvious to one of ordinary skill in the art to have combined the cited references because Kadel's disclosure would have allowed Gupta to independently transfer structured data, and single number with associated unit of measurement between programs [Kadel, Para 0011].

Furthermore, Kadel's disclosure would have served to allow Gupta's system the ability to develop, integrate, and interoperate with disparate sources of information and thus develop software applications, components, or objects to facilitate interoperation between software components [Kadel, Para 0012].

In response to applicant's argument on pages 14 and 15, a *prima facie case of obviousness* is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art. Once such a case is established, it is incumbent upon appellant to go forward with objective evidence of unobviousness. *In re Fielder*, 471 F.2d 640, 176 USPQ 300 (CCPA 1973).

Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification.

Applicant further argues that "Kadel does not envision providing a framework that works with image applications or one that works with audio (MP3) files.

In response, the examiner notes that the above recited element is not part of the claimed recitation.

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

Reference is made to MPEP 2144.01 - Implicit Disclosure

"[I]n considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." In re Preda, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968)

Subsequent to an analysis of the claims it was revealed that a number of limitations recited in the claims belong in the prior art and thus encompassed and/or implicitly disclosed in the reference (s) applied and cited. It is logical for the examiner to focus on the limitations that are "crux of the invention" and not involve a lot of energy and time for the things that are not central to the invention, but peripheral. The examiner is aware of the duties to address each and every element of claims, however, it is also important that a person prosecuting a patent application before the Office or an stakeholders of patent granting process make effort to understand the level of one of ordinary skill in the (data processing) art or the level one of skilled in the (data processing) art, as encompassed by the applied and cited references. The administrative convenience derived from such a cooperation between the attorneys and examiners benefits the Office as well the patentee.

In view of the above, the examiner contends that all limitations as recited in the claims have been addressed in this Action.

For the above reasons, Examiner believed that rejection of the last Office action was proper.

From the foregoing applicants have not met the requirements needed to traverse the rejections made to this application under 35 U.S.C. 103 (a).

And as such rejections as applied to the last Office action are hereby sustained.

Double Patenting

6. With respect to claims 1,2,15 and 25 applicants' argue that the "claims in the current application are not 'later patent claims'", and thus cannot be rejected under the doctrine of obviousness-type double patenting.

In response to applicant's argument, the examiner recognizes the nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

For the above reasons, the examiner believes that rejection of the last Office action was proper. The examiner respectfully traverses applicant's arguments. And as such rejections as applied to the last Office action are hereby sustained.

Double Patenting

7. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

8. Claims 1,2,15,25,30 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1,3,12,18,21 of copending Application No. 10/600014 in view of US patent No 6,956,593 to Gupta et al (hereinafter Gupta).

The following table shows the claims in Instant Application No: 10/600021 that are rejected by corresponding claims in Application No: 10/600014.

Claims Comparison Table

Instant application No 10/600021	Application No: 10/600014
----------------------------------	---------------------------

Claim 1	Claim 1
Claim 2	Claim 3
Claim 15	Claim 12
Claim 25	Claim 18
Claim 30	Claim 21

Although the conflicting claims are not identical, they are not patentably distinct from each other because the scopes of their respective elements are similar.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include or omit “annotation structure” and “application programming interface” because its inclusion would have served to create a coherent interface to ensure a high quality user experience in viewing annotations [See Gupta Col 2 line 10-15, Col 7 lines 27-30, Col 6 line 54].

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

Art Unit: 2166

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-4,6,8-26,30-37 rejected under 35 U.S.C. 102(e) as being anticipated by US patent No 6,956,593 to Gupta et al (hereinafter Gupta).

Claim 1.

Gupta discloses:

A method for exchanging information between entities on a network comprising:

installing an annotation management system on the network [network, install, annotation server, annotations managed, Col 3 lines 59-62 Col 2 line 18-20, Col 5 line 63, Col 4 line 5];

identifying a plurality of annotatable data objects manipulated by a plurality of applications on the network [network, annotation is data, object, data structures, Col 4 lines 28-31, Col 1 lines 21, 63-65];

providing a set of annotation structures, each associated with one or more of the annotatable data objects [structure for annotation, Col 7 lines 27-30, Fig 4, Col 2 lines 40-47, Col 2 lines 66-67, Col 10 lines 4-6]; and

providing, via the annotation management system, one or more interfaces for manipulating annotations for the annotatable data objects, wherein the information presented in each interface is dependent on an associated one of the annotation structures [annotation system, interface for creating annotation, Col 1 line 66, Col 2 lines 20-22].

Claim 2.

Gupta discloses:

The method of claim 1, wherein the one or more interfaces comprise at least one graphical user interface, based on an associated annotation structure [interface for creating and viewing annotations, Col 2 lines 20-22].

Claim 3.

Gupta discloses:

The method of claim 2, wherein providing the at least one graphical user interface comprises transforming the associated annotation structure [graphical user interface, Col 11 lines 59-65].

Claim 4.

Gupta discloses:

The method of claim 3, further comprising providing one or more transforms for use in transforming annotations structures into graphical user interfaces [change (transform) annotation, graphical user interface, Col 24 lines 1-2, lines 9-18].

Claim 6.

Gupta discloses:

The method of claim 1, further comprising installing one or more plug-in components for interfacing between the one or more applications and the annotation management system [install, plug-in, annotation system, manage, Col 5 line 63, Col 6 lines 54-55, Col 1 line 66, Col 4 line 5].

Claim 8.

Gupta discloses:

The method of claim 1, further comprising installing a set of application programming interface functions for the annotation management system, callable from the one or more applications [programming interface, interface module, install, Col 6 line 54, Col 12 lines 3-5, Col 5 line 63].

Claim 9.

Gupta discloses:

The method of claim 8, wherein the set of application programming interface functions comprise functions for manipulating annotations [authored (manipulate) annotation, control information, Col 7 lines 3-4].

Claim 10.

Gupta discloses:

The method of claim 8, wherein the set of application programming interface functions comprise functions for retrieving annotations for a specified data object

Art Unit: 2166

[search field, retrieve annotation, Col 16 lines 35-38].

Claim 11.

Gupta discloses:

The method of claim 8, wherein the set of application programming interface functions include functions for retrieving an indication of data objects described by an annotation [search field, retrieve annotation, objects, Col 16 lines 35-38 Col 4 line 29].

Claim 12.

Gupta discloses:

The method of claim 8, wherein the set of application programming interface functions comprise at least one function for retrieving an indication of the plurality of annotatable data objects [Col 16 lines 60-64].

Claim 13.

Gupta discloses:

The method of claim 1, wherein providing the annotation structures comprises selecting, for each annotation structure, one or more annotation fields to include in the annotation structure [Col 16 lines 60-64].

Claim 14.

The method of claim 13, wherein at least some of the one or more interfaces for manipulating the annotatable data objects allow a user to enter information corresponding to one or more annotation fields included in an associated annotation structure [enter data, Col 8 lines 48-49].

Claim 15.

Gupta discloses:

A method of creating annotations for a plurality of different type data objects manipulated by a plurality of applications, comprising [create annotation, Col 2 line 26]:

receiving a request from a user to create an annotation for a data object [receives request to create annotation, Col 2 line 30-31];

retrieving, from a set of annotation structures one or more annotation structures associated with the data object, each annotation structure containing one or more annotation fields [retrieve annotation, Col 16 lines 38-39, Col 7 lines 27-30, Fig 4, Col 2 lines 40-47, Col 2 lines 66-67, Col 10 lines 4-6];

generating a graphical user interface based on one of the annotation structures, the graphical user interface allowing entry of the one or more annotation fields associated with the one annotation structure [graphical user interface, entry, Col 11 lines 63-63, Col 8 lines 48-49, Fig 8-10]; and

creating an annotation record comprising the information entered, via the graphical user interface, for the one or more annotation fields [add annotation record, GUI, Col 12 lines 56-59, Fig 8-10, Col 14 lines 40-48].

Claim 16.

Gupta discloses:

The method of claim 15, wherein the one or more annotation structures retrieved depends, at least in part, on at least one credential of a user initiating the request [Col 17 lines 31-36].

Claim 17.

Gupta discloses:

The method of claim 16, wherein the at least one credential comprises a role of the user [Col 17 lines 31-36].

Claim 18.

Gupta discloses:

The method of claim 15, wherein a plurality of annotation structures are associated with the data object and the method further comprises [annotation structures, Col 7 lines 27-30]:

presenting, to a user, the plurality of annotation structures associated with the data object[Col 15 lines 40-42, Col 13 lines 25-27];

receiving, from the user, a selection of one of the plurality of annotation structures[select, receive, annotate Col 2 lines 29-34]; and

generating the graphical user interface based on the selected annotation structure[Col 12 lines 3-5, Fig 22, Fig 23].

Claim 19.

Gupta discloses:

The method of claim 18, further comprising receiving, from the user, a selected role in which the user has chosen to act [select a set, Col 12 lines 65-67, Col 13 lines 1-5].

Claim 20.

Gupta discloses:

The method of claim 19, wherein the plurality of annotation structures presented to the user is dependent on the selected role [supports access control, Col 13 lines 1-5, Col 16 lines 1-6].

Claim 21.

Gupta discloses:

The method of claim 19, further comprising:

retrieving, via an application programming interface, a plurality of roles associated with the user [select a set, retrieve, application program interface, Col 12 lines 65-67, Col 13 lines 1-5, Col 16 lines 38-39, Col 6 line 54]; and

presenting, to the user, the plurality of roles associated with the user [Col 6 lines 33-35].

Claim 22.

Gupta discloses:

The method of claim 15, wherein retrieving one or more annotation structures associated with the data object comprises passing an application programming interface function at least an indication of the data object [application programming interface, passing, Col 6 lines 54, Col 7 lines 1-2].

Claim 23.

Gupta discloses:

The method of claim 22, wherein retrieving the one or more annotation structures associated with the data object further comprises passing the application programming interface function at least one credential of a user [application programming interface, retrieve, Col 6 lines 54, Col 16 lines 38-39].

Claim 24.

Gupta discloses:

The method of claim 22, wherein the at least one user credential comprises at least one of a role and a user identification [user identification, Col 7 line 40-42].

Claim 25.

Gupta discloses:

A computer-readable storage medium containing an executable component for managing annotations created for data objects manipulated by one or more applications on a network which, when executed by a processor, performs operations comprising:

receiving a request from one of the applications to create an annotation for a data object [Col 12 lines 47-50, Fig 6-7];

retrieving, from a set of annotation structures one or more annotation structures associated with the data object. each annotation structure containing one or more annotation fields [structure for annotation, set of annotation, select different annotation structure, text, audio, URL, Col 13 lines 25-28, Col 7 lines 27-30, Fig 4, Col 2 lines 40-47, Col 2 lines 66-67, Col 10 lines 4-6];

generating a graphical user interface based on one of the annotation structures, the graphical user interface allowing entry of the one or more annotation fields associated with the one annotation structure [Col 14 lines 58-65, Col 15 lines 10-33, Fig 8-10]; and

creating an annotation record comprising the information entered, via the graphical user interface, for the one or more annotation fields [add annotation record, GUI, Col 12 lines 56-59, Fig 8-10, Col 14 lines 40-48].

Claim 26.

Gupta discloses:

The computer-readable medium of claim 25, wherein receiving a request from one of the applications to create an annotation for a data object comprises receiving the request from a plug-in component that provides an interface between the requesting application and the executable component for managing annotations [plug-in, application programming interface, interface for creating annotation, manage annotation Col 6 lines 54-55, Col 2 lines 20-22, Col 4 line 5].

Claim 30.

Gupta discloses:

A system for managing annotations for different type data objects manipulated by a plurality of different type applications, comprising [Col 1 lines 33-34]:

an annotation database for storing annotations separately from the data objects associated with the annotations [Col 7 lines 7-11, Fig 1, 3];

a set of annotation structures, each defining a set of annotation fields [Fig 8-10, Col 14 lines 58-65, Col 15 lines 10-33];

an annotation server configured to receive requests, issued by the applications, to access annotations for data objects identified in the requests [annotation server, annotation identifiers, Fig 3, 4, Col 3 lines 59-62, Col 7 lines 34-35]; and

a set of application programming interface functions providing an interface between the applications and the annotation server [application programming interface, annotation server, Col 6 lines 54-58].

Claim 31.

Gupta discloses:

The system of claim 30, further comprising a set of application plug-ins, each specific to one or more of the applications and configured to communicate with the annotation server via the application programming interface functions [application programming interface, annotation server, plug-in Col 6 lines 54-58].

Claim 32.

Gupta discloses:

The system of claim 30, wherein the annotation server is configured to retrieve, via one or more application programming function calls, annotations associated with a data object identified in a request [select different annotation structure, text, audio, URL, Col 13 lines 25-28].

Claim 33.

Gupta discloses:

The system of claim 31, wherein the annotation server is configured to:
retrieve, via a first application programming function call, one or more annotation identifications associated with the data object identified in the request [select different annotation structure, text, audio, URL, Col 13 lines 25-28]; and

using the annotation identifications, retrieve, via a second application programming interface function call, the corresponding annotations from the annotation store [annotation data store, annotation identification, interface, Col 7 lines 30-34, line 55].

Claim 34.

Gupta discloses:

The system of claim 30, wherein the annotation server is configured to:

retrieve, via an application programming interface function call, a list of one or more roles associated with a user [function for accessing (call), annotation server, application programming interface, Col 6 lines 54-57, 65-67]; and

present, to the user, the one or more roles associated with the user [Col 16 , lines 1-6, Col 13 lines 1-5].

Claim 35.

Gupta discloses:

The system of claim 33, wherein the annotation server is further configured to:

receive, from the user, a selected one of the one or more roles associated with the user [Col 16 , lines 1-6, Col 13 lines 1-5]; and

indicate to the system, via an application programming interface function call, the role selected by the user [Col 16 lines 1-6].

Claim 36.

The system of claim 30, wherein the annotation server is configured to:
retrieve, via an application programming interface function call, annotation structures associated with data objects identified in requests [annotation structure, application programming interface, objects, data structures, Col 7 lines 27-29, Col 6 line 54, Col 4 lines 29-30 Fig 4, 3] ; and
transform the annotation structures into graphical user interfaces for creating annotations for the data objects [change (transform) annotation, graphical user interface, Col 24 lines 1-2, lines 9-18].

Claim 37.

The system of claim 36, wherein the annotation server is further configured to retrieve, via an application programming interface function call, one or more transforms associated with an annotation structure for use in transforming the annotation structure into a graphical user interface [Col 24 lines 1-2, lines 9-18].

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13. Claims 5,7,27,28,29 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent No 6,956,593 to Gupta et al (hereinafter Gupta), in view of Pub No. US 2002/0184401 to Kadel JR et al (hereinafter Kadel).

14.

Claim 5.

Gupta discloses the elements of claim 4 as indicate above but does not explicitly indicate wherein the one or more transforms comprise one or more Extensible Stylesheet Language transforms.

Kadel discloses the claimed "Extensible Stylesheet Language transforms"
However, Kadel teaches the claimed "Extensible Stylesheet Language transforms" [see Kadel paragraph 0316].

It would have been obvious to one of ordinary skill in the art to have combined the cited references because "Extensible Stylesheet Language transforms" of Kadel's

Art Unit: 2166

disclosure would have allowed Gupta to independently transfer structured data, and single number with associated unit of measurement between programs [Kadel, Para 0011].

Further more, “Extensible Stylesheet Language transforms” would have served to allow Gupta’s system the ability to develop, integrate, and interoperate with disparate sources of information and thus develop software applications, components, or objects to facilitate interoperation between software components [Kadel, Para 0012].

Claim 7.

Gupta discloses:

The method of claim 6, further comprising installing an annotation broker on the one or more client computers, the annotation broker providing an interface between one or more of the plug-in components and the annotation server [Col 5line 63, Col 6 lines 54-55].

Gupta discloses the elements of claim 6 as indicate above but does not explicitly indicate “broker”. However, Kadel teaches the claimed broker [see Kadel paragraph 0316]

It would have been obvious to one of ordinary skill in the art to have combined the cited references because “broker” of Kadel’s disclosure would have allowed Gupta to independently transfer structured data, and single number with associated unit of measurement between programs.

Further more, “broker” would have served to allow Gupta’s system the ability to develop, integrate, and interoperate with disparate sources of information and thus develop software applications, components, or objects to facilitate interoperation between software components.

Claim 27.

Gupta discloses:

The computer-readable medium of claim 26, wherein receiving a request from one of the applications to create an annotation for a data object comprises receiving the request from an annotation broker that provides an interface between plug-in components of one or more applications and the executable component for managing annotations [plug-in, application programming interface, interface for creating annotation, manage annotation Col 6 lines 54-55, Col 2 lines 20-22, Col 4 line 5] .

Gupta discloses the elements of claim 27 as indicate above but does not explicitly indicate “broker”. However, Kadel teaches the claimed “broker” [see Kadel paragraph 0316].

It would have been obvious to one of ordinary skill in the art to have combined the cited references because “broker” of Kadel’s disclosure would have allowed Gupta to independently transfer structured data, and single number with associated unit of measurement between programs [Kadel, Para 0011].

Further more, “broker” would have served to allow Gupta’s system the ability to develop, integrate, and interoperate with disparate sources of information and thus

Art Unit: 2166

develop software applications, components, or objects to facilitate interoperation between software components [Kadel, Para 0012].

Claim 28.

Gupta discloses:

A system for managing annotations for different type data objects manipulated by a plurality of different type applications, comprising [Col 1 lines 33-34] :

an annotation database for storing annotations separately from the data objects associated with the annotations[Col 7 lines 7-11, Fig 1, 3];

a set of annotation structures, each defining a set of annotation fields [Fig 8-10, Col 14 lines 58-65, Col 15 lines 10-33];

a set of plug-in components, each specific to one or more applications running on a client computer, configured to communicate with an annotation server [Col 12 lines 3-13, Col 6, line 54]; and

an annotation server configured to receive, via the annotation broker, requests to access annotations issued by the one or more of the applications running on the client computer and generate a graphical user interface screen, based on an annotation structure associated with the data object identified in the request, for creating or viewing annotations for a data object identified in the request [Fig 8-10, Col 14 lines 58-65, Col 15 lies 10-33, Col 12 lines 47-50, Fig 6,7].

Art Unit: 2166

Gupta discloses the elements of claim 27 as indicate above but does not explicitly indicate “broker”. However, Kadel teaches the claimed “broker” [see Kadel paragraph 0316].

It would have been obvious to one of ordinary skill in the art to have combined the cited references because “broker” of Kadel’s disclosure would have allowed Gupta to independently transfer structured data, and single number with associated unit of measurement between programs [Kadel, Para 0011].

Further more, “broker” would have served to allow Gupta’s system the ability to develop, integrate, and interoperate with disparate sources of information and thus develop software applications, components, or objects to facilitate inter operation between software components[Kadel, Para 0012].

Claim 29.

Gupta discloses:

The system of claim 28, wherein the one or more applications are installed on a client computer and the annotation system further comprises an annotation broker providing an interface between the one or more plug-in components and the annotation system [plug-in, interface, annotation system, Col 6 lines 54-55, Col 1 line 66].

Gupta discloses the elements of claim 27 as indicate above but does not explicitly indicate “broker”. However, Kadel teaches the claimed “broker” [see Kadel paragraph 0316].

It would have been obvious to one of ordinary skill in the art to have combined the cited references because “broker” of Kadel’s disclosure would have allowed Gupta to independently transfer structured data, and single number with associated unit of measurement between programs [Kadel, Para 0011].

Furthermore, “broker” would have served to allow Gupta’s system the ability to develop, integrate, and interoperate with disparate sources of information and thus develop software applications, components, or objects to facilitate interoperation between software components [Kadel, Para 0012].

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emeka Ebirim whose telephone number is 571-272-3994. The examiner can normally be reached on 8:30pm - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KHANH B. PHAM
PRIMARY EXAMINER

Name: Emeka Ebirim
Art Unit: 2166